

div. A, title XII, § 1234(b)(1), (5), Sept. 29, 1988, 102 Stat. 2059; Pub. L. 101–510, div. A, title XIII, § 1322(b), Nov. 5, 1990, 104 Stat. 1672; Pub. L. 102–190, div. A, title V, § 553, Dec. 5, 1991, 105 Stat. 1371.)

#### HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
314(a) .....	32:11.	Jan. 21, 1903, ch. 196, § 12,
314(b) .....	32:12.	32 Stat. 776.
314(c) .....	10:998.	June 6, 1900, ch. 811, § 1
314(d) .....	32:13.	Stat. 671.
	32:14.	June 3, 1916, ch. 134, § 66,
		39 Stat. 199.

In subsection (a), the word “appointed” is omitted, since the position is not filled by appointment in some cases. The Act of January 21, 1903, ch. 196, § 12 (last 48 words of 1st sentence) are not contained in 32:11. They are also omitted from the revised section as covered by subsection (d) of this section.

In subsection (b), the word “grade” is substituted for the word “rank”. The words “To be eligible for appointment as \* \* \* a person must be” are substituted for the words “each \* \* \* shall be”. The words “of that jurisdiction” are substituted for the words “of the Territory for which he is appointed”.

In subsection (c), the word “Regular” is inserted as an implication of 10:998 (last 2 words). The words “commanding general” are substituted for the words “brigadier general commanding”, since the commanding general might hold another grade.

The words “basic pay” are substituted for the words “active service pay” to conform to section 201 of the Career Compensation Act of 1949, 63 Stat. 805 (37 U.S.C. 232). The word “grade” is substituted for the word “rank”.

In subsection (d), the words “at such times and in such form” are omitted as covered by the words “such returns and reports as the Secretary \* \* \* may prescribe”.

#### AMENDMENTS

1991—Subsec. (b). Pub. L. 102–190 struck out “each Territory and” before “the District of Columbia” in first sentence, and struck out at end “To be eligible for appointment as adjutant general of a Territory, a person must be a citizen of that jurisdiction.”

1990—Subsec. (d). Pub. L. 101–510 struck out at end “Each Secretary shall send with his annual report to Congress an abstract of the returns and reports of the adjutants general and such comments as he considers necessary for the information of Congress.”

1988—Subsec. (a). Pub. L. 100–456, § 1234(b)(1), struck out “the Canal Zone,” after “Puerto Rico,”.

Subsec. (b). Pub. L. 100–456, § 1234(b)(5), struck out “, the Canal Zone,” after “each Territory” and “or the Canal Zone” after “a Territory”.

Subsec. (d). Pub. L. 100–456, § 1234(b)(1), struck out “the Canal Zone,” after “Puerto Rico,”.

1958—Subsec. (b). Pub. L. 85–894 struck out “Puerto Rico” in two places.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 709 of this title; title 10 section 1370.

### § 315. Detail of regular members of Army and Air Force to duty with National Guard

(a) The Secretary of the Army shall detail commissioned officers of the Regular Army to duty with the Army National Guard of each State and Territory, Puerto Rico, and the District of Columbia. The Secretary of the Air Force shall detail commissioned officers of the Regular Air Force to duty with the Air National Guard of each State and Territory, Puerto Rico,

and the District of Columbia. With the permission of the President, an officer so detailed may accept a commission in the Army National Guard or the Air National Guard, as the case may be, terminable in the President’s discretion, without prejudicing his rank and without vacating his regular appointment.

(b) The Secretary of the Army may detail enlisted members of the Regular Army for duty with the Army National Guard of each State and Territory, Puerto Rico, and the District of Columbia. The Secretary of the Air Force may detail enlisted members of the Regular Air Force for duty with the Air National Guard of each State and Territory, Puerto Rico, and the District of Columbia.

(Aug. 10, 1956, ch. 1041, 70A Stat. 604; Pub. L. 100–456, div. A, title XII, § 1234(b)(1), Sept. 29, 1988, 102 Stat. 2059.)

#### HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
315(a) .....	32:68 (less 2d sentence).	June 3, 1916, ch. 134, § 100,
	32:69.	39 Stat. 208.
315(b) .....	32:68 (2d sentence).	

In subsection (a), 32:68 (last sentence) is omitted as surplusage, since positive provisions relating to the assignment or detail of retired officers to that duty are covered by section 3504(a) or 8504(a) of title 10. The words “of the active list”, in 32:68, are omitted for the same reason. The words “so detailed” are substituted for the words “detailed under section 68 of this title”, in 32:69. The words “relative or lineal”, in 32:69, are omitted as surplusage.

#### AMENDMENTS

1988—Subsecs. (a), (b). Pub. L. 100–456 struck out “the Canal Zone,” after “Puerto Rico,”.

### § 316. Detail of members of Army National Guard for rifle instruction of civilians

The President may detail officers and non-commissioned officers of the Army National Guard to duty as instructors at rifle ranges for the training of civilians in the use of military arms.

(Aug. 10, 1956, ch. 1041, 70A Stat. 605.)

#### HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
316 .....	32:183.	June 3, 1916, ch. 134, § 113
		(3d sentence), 39 Stat. 211.

The word “civilians” is substituted for the word “citizenry”. The word “capable” is omitted as surplusage.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 101, 715 of this title; title 10 sections 101, 701, 1054, 1089, 1333, 12732, 12733; title 28 section 2671; title 38 sections 101, 1965.

### § 317. Command during joint exercises with Federal troops

When any part of the National Guard that is not in Federal service participates in an encampment, maneuver, or other exercise for instruction, together with troops in Federal service, the command of the post, air base, or other